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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADEL HASSAN HAMAD,

Petitioner,

v.

GEORGE W. BUSH, et al.,

Respondents.

Misc. No. 08-444 (TFH)

CV 05-1009 (JDB)

MOTION FOR PERMISSION TO FILE
PLEADING

MOHAMMED ABD AL AL QADIR,

Petitioner,

v.

GEORGE W. BUSH, et al.,

Respondents.

Misc. No. 08-442 (TFH)

CV 08-1185 (HHK)

ABDULLI FEGHOUL,

Petitioner,

v.

GEORGE W. BUSH, et al.,

Respondents.

Misc. No. 08-442 (TFH)

CV 06-618 (RWR)

Petitioner, Adel Hassan Hamad, through his attorneys, Federal Public Defender Steven T. Wax, and Chief Deputy Stephen R. Sady, hereby move this Court for permission to file a pleading on the custody/collateral consequences issue on which the Court directed briefing by Orders entered on September 5, 2008, in the cases of petitioners Mohammed Abd Al Al Qadir, CV 08-1185, and Abdulli Feghoul, CV 06-618.

By Order dated July 2, 2008, this Court consolidated the group of habeas corpus petitioners who remain incarcerated in the prison at the United States Naval Station at Guantánamo Bay, Cuba, under Misc. Case No. 08-442. By order filed on July 3, 2008, under Misc. Case No. 08-444, this Court consolidated the cases of habeas corpus petitioners who had been transferred from Guantánamo Bay. While the Court has ordered briefing on a number of issues for the prisoners who remain in the prison, it has not ordered briefing, other than the filing of a status report, for those prisoners who have been transferred.

Petitioner Hamad has remained in contact with his counsel frequently subsequent to his transfer from the prison to his home country of Sudan. He has explicitly requested that counsel continue to pursue his habeas corpus and Detainee Treatment Act cases in order to seek vindication by establishing his innocence and to have the enemy combatant designation removed. When Mr. Hamad was transferred from the prison to Sudan, it was

with the enemy combatant designation intact and with conditions imposed upon him as a result of demands made by United States government. Mr. Hamad has previously provided both this Court and the circuit court with information regarding that agreement and the collateral consequences that follow Mr. Hamad.

Mr. Hamad is concerned that any ruling by this Court on the question of collateral consequences and custody, in another petitioner's case, might adversely affect his ability to obtain vindication through the habeas corpus or DTA processes. He, therefore, requests permission to file a pleading on this matter before the Court proceeds to rule on the questions on which it has requested briefing in its orders of September 5, 2008.

Respectfully submitted on September 16, 2008.

/s/ Steven T. Wax

Steven T. Wax
Federal Public Defender

/s/ Stephen R. Sady

Stephen R. Sady
Assistant Federal Public Defender